



PATENT  
Attorney Docket **056100-5035-US**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: <b>Jimo Borjigin</b>	)	
	)	
Application No. <b>10/812,939</b>	)	Art Unit: <b>3762</b>
	)	
Filed: <b>March 31, 2004</b>	)	Examiner: <b>Not Assigned</b>
	)	
For: <b>Monitoring Circadian Activity</b>	)	

**SUBMISSION OF REPLACEMENT DRAWINGS**

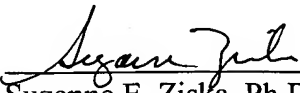
Filed herewith are eleven (11) sheets of replacement drawings containing Figures 1-11. It is respectfully requested that these drawings be approved and made part of the official record in the above-identified application.

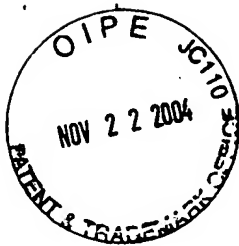
The replacement drawings submitted herewith are cleaned-up copies of the drawings as filed. If the Office does not accept these drawings, the Office is respectfully requested to explicitly point out the basis for the non-acceptance. Applicants believe the drawings submitted herewith are on paper which is "flexible, strong, white, smooth, non-shiny and durable."

If there are any fees due in connection with the filing of these drawings, please charge the fees to our Deposit Account No. 50-310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Dated: **November 22, 2004**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania Ave, N.W.  
Washington, D.C. 20004  
202-739-3000

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
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Suzanne E. Ziska, Ph.D.  
Registration No. 43,371



PATENT  
Attorney Docket 056100-5035-US

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Application No. **10/812,939** ) Art Unit: **3762**  
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Filed: **March 31, 2004** ) Examiner: **Not Assigned**  
 )  
For: **Monitoring Circadian Activity** )

**Mail Stop Missing Parts**  
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2011 South Clark Place  
Customer Window,  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

**RESPONSE TO NOTICE OF MISSING PARTS**

1. This paper is filed in response to the Notice of Missing Parts of Nonprovisional Application dated June 21, 2004. A copy of the Notice of Missing Parts is enclosed.
2. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply. This request is being filed under the next business day rule on Monday, November 22, 2004 as the due date for responding fell on a Sunday (November 21, 2004). Applicant petitions for a three month extension of time from August 21, 2004 to November 21, 2004, the fee for a small entity which is \$490.00 as set out in 37 C.F.R. 1.17(a). If Applicant has overlooked the need for an additional extension of time, the Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account 50-0310.
3. Fee Calculation (37 C.F.R. § 1.16):

CLAIMS FOR FEE CALCULATION						
	Remaining		Previously Paid	Extra	Rate	Basic Fee:
						\$790.00
Total Claims	23	minus	23	0	\$18 each	0.00
Independent Claims	5	minus	5	0	\$88 each	0.00
First presentation of Multiple dependent claim					\$300.00	0.00
Sub-total =						= 0.00
Reduction by ½ for filing by a small entity						- 0.00
Total Fee =						\$0.00

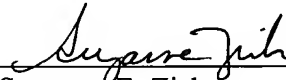
11/24/2004 DEMMANU1 00000008 500310 10812939

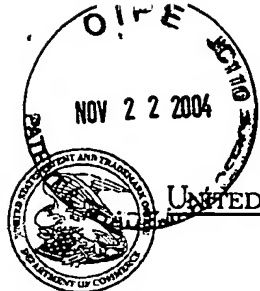
02 FC:2253 490.00 DA

4. Fee Payment: The Commission is hereby authorized to charge **\$555.00** to Deposit Account 50-0310 for payment of the three-month extension of time fee (\$490.00) and the missing parts surcharge fee (\$65.00).
5. Additional Papers Filed:
  - (i) Declaration
  - (ii) Submission of Replacement Drawings
  - (iii) 11 sheets of drawings (Figures 1 through 11)
6. Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.

Dated: **November 22, 2004**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania, N.W.  
Washington, D.C. 20004  
202-739-3000

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
\_\_\_\_\_  
Suzanne E. Ziska  
Registration No. 43,371



UNITED STATES PATENT AND TRADEMARK OFFICE

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

IFW \$

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/812,939	03/31/2004	Jimo Borjigin	056100-5035-US

CONFIRMATION NO. 4917

 09629  
 MORGAN LEWIS & BOCKIUS LLP  
 1111 PENNSYLVANIA AVENUE NW  
 WASHINGTON, DC 20004

## FORMALITIES LETTER



\*OC000000012995217\*

Date Mailed: 06/21/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) all.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

RECEIVED \$65 Late oath or declaration Surcharge.

11/24/2004 DEMMANU1 00000008 500310 10812939

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65.00 DA

JUN 23 2004

MORGAN, LEWIS &amp; BOCKIUS LLP

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

BINH  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE